

## Attachment J.10

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**DISTRICT OF COLUMBIA GOVERNMENT  
DEPARTMENT OF HUMAN SERVICES  
EMPLOYMENT INCENTIVE PROGRAM (EIP)**

**INTRODUCTION**

The District of Columbia Government, through the Department of General Services (DGS), on behalf of the Department of Human Services (DHS), is requesting the services of a General Contractor (“Contractor”) to provide Construction Services for new construction of the La Casa property located at 1448 Irving Street, NW Washington D.C. This shall be in accordance with the ‘Employment Incentive’ program requirements – refer to below for Employment Incentive Program Description.

DHS has a unique methodology for meeting one of the goals of the Mayor’s “Housing First Initiative” (Permanent Supportive Housing (PSH)). This approach involves the introduction of qualified DHS clients to skills and job development training opportunities. The selected Contractor will play a significant role and assist DHS and its clients (individuals selected to live in the units of this project) to fulfill the goals set forth in PSH. To that end, one Contractor selection requirement is prior experience in workforce development/on the job training programs or activities. What follows is the requirement/qualification for selection.

**SERVICES TO BE PERFORMED:**

At the recommendation of DHS, the Contractor shall employ DHS clients (3 to 5 employees) during the construction. This will be a paid employment and is not eligible for District Unemployment Insurance benefits. The proposed compensation shall commensurate the individual client’s experience (not less than minimum wage requirement in the District of Columbia, (see Attachment J.4 of the RFP for wage determination) and relative to the activity or trade during employment.

It shall be the responsibility of the Contractor to provide job skills and opportunity (per DHS’s recommendation) that will allow the clients to improve on their current skills and prepare them for profitable employment in such skill area.

**COORDINATION TO BE PERFORMED BY THE GENERAL CONTRACTOR:**

The Contractor shall be responsible for developing, coordinating, and managing a training/skills development program (DHS’s review and approval required). The goal of the Contractor proposed program shall be to assist in preparing (upon completion) the clients for future gainful employment. Alternate programs may be requested and or recommended by DHS/DGS. Such alternates shall constitute the approved program.

## **SPECIAL REQUIREMENTS:**

The Contractor shall comply with all applicable employment laws and regulation, and mitigate contradictory application with the advice and consent of DHS/DGS. The requirements of the 'Employment Incentive' program may not be substitute for the DC wide 'Apprentice' requirement of this contract.

Wherever and or whenever a requirement of the Employment Incentive conflicts with the provisions in any other Contract Document, it shall preclude the enforcement of both requirements. The Contractor shall immediately bring such condition to the attention and discussion with the COTR. The decision and directive shall be in writing by the Contracting Officer.

## **TEAM SELECTION CRITERIA**

The selected Contractor shall have the capability to perform the class of work contemplated herein and have the necessary capability to execute the program (in addition to the general construction requirements) properly and within the specified time.

Any Offeror who has not performed comparable work (with comparable skills training program) for the District or within the Last 3 years shall submit, at the discretion of the Contracting Officer – comparable experience within the last 3 years in the DC metropolitan area is preferred.

### ***Pre-Qualification***

- Demonstrate history of successfully completed no fewer that 2 projects of similar or greater size in a section 3 or similar work training program.
- No fever than 5 similar size or larger renovation & new construction multi-family residential projects
- 2 projects with DC GREEN and or LEED requirement documentation -

Selection will be based on the review of the total proposal package that includes but is not limited to –

1. Executive Summery of proposed 'Skills' development/training program
  - a. Commitment to the involvement and participation of DHS clients who are recipients of DHS services – refer to pre-qualification appendix #1.
2. Past experience with 'Skills' program (Public sector experience preferred).
3. Proposed (Clients') compensation package
4. Proposed construction cost.

5. Value for fee is critical (efficient/effective installation and maintenance).
6. Miscellaneous advantages (as deemed necessary by the Contractor) are encouraged in the submittal.

DGS reserves the right not to select a Contractor, if submissions are not deemed to be at par; at which point, DGS may request re-submissions, and or negotiation.

## **PRE-QUALIFICATION & EMPLOYMENT INCENTIVE ('EI') PROGRAM AGREEMENT**

### ***'EI' - Purpose***

- Is to ensure that employment and other economic opportunities generated by the construction of 1448 Irving Street, NW, Washington, DC for DHS' client housing assistance shall, to the greatest extent feasible, and consistent with existing District of Columbia and Federal laws and regulations, be directed to clients receiving services from DHS, particularly those who are beneficiaries of programs related to the New Endeavors by Women;
- Beneficial activities covered herein include but may not be limited to "training, employment, contracting, and other economic opportunities arising from this development, operating and modernization assistance project though DHS notwithstanding the amount of the contract or subcontract, and regardless of whether the source of funding for the activity .

Through this construction project, DHS plans to develop mechanisms through which Permanent Supportive Housing, and or other DHS' services' clients can develop careers and generate income that allows them to permanently maintain economic independence.

The implementation of this or similar Programs shall provide a mechanism that will enable DHS to require and help selected Contractor's, subcontractors, vendors and suppliers to provide employment, training, and business opportunities for DHS client pool.

If selected, the Contractor agrees to comply with the following provisions:

### **Selection of 'EI' Clients (by DHS):**

DHS will provide the Contractor with a list of participants of up to 5; but a minimum of 3.

### **Hiring Requirements:**

Contractor agrees at up to 5 clients recommended by DHS (in addition to LSDBE and other City contracting requirement) of its aggregate new hires over the duration of construction.

In the event that Contractor is unable to use adequately use the skills/train the DHS 'EI' program clients, Contractor must provide a written justification of any and all impediments and recommend actions or other economic opportunities, such as joint venturing; Contractor attempted efforts to fulfill the requirements.

Contractor must complete and record exit evaluations of "'EI' program" employees for each job assignment completed.

DHS recommended clients shall be subjected to contractor's standard employment policies. Moreover, contractor can hire an applicant to work on the job site or

within contractor's office/construction trailer, etc. The work *does have to be directly related* to this construction contract (alternates or related assignments must be approved by DHS/DGS).

**Contracting Requirements:**

Contractor agrees to meet the minimum 'EI' program contract requirements as a safe harbor that meets the "greatest extent feasible" statutory requirement as follows:  
For contracts for building Construction, Modernization, and or development, contractor agrees to meet the employment/training conditions as stipulated herein.

**Applicability to Subcontractors:**

DGS/DHS shall accept as conditions for compliance with the 'EI' requirements, participation of recommended client in services provided by subcontractors. However, the contractor may not be relieved of the responsibility for compliance.

**Compliance Procedures:**

If contractor fails to meet the 'EI' and/or Contracting requirements, DGS may determine it to be noncompliant. If DGS determines that contractor is non-compliant, DGS shall serve written notice of its determination of non-compliance on contractor. Contractor shall be responsible for notifying any subcontractor of non-compliance.

- Corrective Plans - Upon request of DGS, contractor agrees to meet with the 'EI' Compliance Coordinator (at DHS) and any other appropriate representative within three (5) working days of the written notice. The meeting is to determine corrective action and mitigate stated deficiencies and develop time limit within which such remedy shall be affective.
- If a remedy is not agreed upon within five (5) days of the required notice, the Employment Incentive 'EI' Contracting Officer shall prescribe the remedy by which deficiencies shall be corrected and notify contractor in writing of such determination.

**Sanctions:**

If the contractor does not correct the deficiencies in the manner prescribed within fifteen (15) calendar days, the Contracting Officer may impose the following sanctions:

- a. Withholding payments on contracts; and/or
- b. Canceling and suspending contracts; and/or
- c. Placing contractor on list of contractors who fail to comply with the 'EI' requirements.

**Reporting Procedures:**

The Contractor agrees to submit monthly 'EI' Monthly Status Reports (with 'EI' status in appendix) to DGS assigned COTR.

## **Employment Incentive Program Description**

The Department of General Services (DGS) is seeking a contractor to complete the construction specifications, in accordance with the architectural design. The structure is owned by DHS, and it is the intent of the agency to incorporate a modified Employment Incentive component in the award of the contract. The participants will come from the Temporary Assistance for Needy Families (TANF) program, which is administered by the Income Maintenance Administration (IMA), within DHS. The Employment Incentive component revolves around the design of a program that builds the skills and work experience of homeless TANF Families, to enable them to obtain higher wages, sustainable jobs within the workplace, and develop the skills that build higher degrees of self sufficiency. (The term Employment Incentive is used broadly in this context, to mean participant involvement throughout the process, but not necessarily an ownership stake in the final product. Rather, they would have the option to reside in the completed product for a period of 24-48 months). This is designed to be the pilot of an ongoing program, in which DHS owned properties are rehabilitated and used as training tools for TANF customers.

### **I. Description/technical requirements of “Employment Incentive” program and suggested priority rating - for any and all evaluation for selection**

- A. Employment Incentive utilizes capital dollars to renovate government owned apartment units for sheltering homeless families, while training and apprenticeship opportunities for homeless TANF families in the building, construction, and interior design trades. The Contractor will be required to hire and utilize participants from a pre-selected pool of TANF recipients. Through the life of the project, participants will receive comprehensive wrap around services
- B. Potential Contractors will be evaluated based upon their work plan for providing a minimum of 30 hours of employment per week for each of the program participants. Evaluations will take note of the nuanced level of detail potential Contractor’s have given to the use of said participants, including the ability to provide supervision. The selection process will take into consideration past experience in working with similar pools of participants. The use of a partner agency or a sub Contractor to help facilitate the relationship with the participants is acceptable.

### **II. Compensation expectations and/or rules**

- A. The Contractor is expected to employ each participant at a minimum of 20 hours a week for at least 70% of the construction project.
- B. The Contractor is required to compensate the participant at least minimum wage and provide any training and supervision required to complete successfully the tasks assigned. The Contractor is also expected to work with one of IMA’s existing vendors to report both hours as well as excused and unexcused absences.

The IMA vendor will provide job retention assistance, and serve as an intermediary for any issues that arise between the Contractor and the participant.

**III. Participants' selections methodology: Initial eligibility is limited to one or two parent TANF families who are in emergency or transitional shelter.** Before participants are formally linked to, and hired by a Contractor, the following eligibility elements/requirements will be satisfied:

- A. Eligible families write a statement of interest and are prescreened by independent panel.
- B. Upon review of the panel, each potential participant must agree to participate and complete an assessment, an individual responsibility plan, a financial management training course, pass an alcohol and drug test (as well as agree to periodic testing), establish minimum Individual Development Account from earnings, and agree to a subsidized living arrangement of up to 48-month program limit.
- C. Upon substantial completion of the points above, the participant must enroll in, and complete a pre-apprenticeship program. Only after successful completion of all of the points enumerated above, will DHS refer participant to a vendor for hire by a Contractor.

**IV. Agency responsible for Participants' selection and training**

This program will be coordinated across multiple agencies, with distinct responsibilities. It will serve as a pilot for the District's new Person First model. DHS will be responsible for the overall coordination of services, with both the Income Maintenance Administration and the Family Service Administration having core responsibility. The Department of Employment Services and the Department of General Services will also be central in leveraging resources for the participants and supervising the Contractor. Finally, other wrap around services both within the government (such as APRA) as well as outside the government (such as CAAB), will be leveraged to support the participants.



**V. Number of Participants**

Three to Five participants will be linked with the Contractors and expected to complete the life of the project. If a participant drops out of the program or is otherwise dismissed a new participant may be identified to participate, if appropriate. As additional properties are identified and rehabilitated, more participants may be added to the program.

**VI. Contractor's expectations of the Participants/Apprentices**

- A. Contractor offers work opportunity in apartment unit, or on a separate work site as part of the construction team for at least 70% of the life of the underlying construction project. The Contractor is expected to provide supervision of the participants, and communicate with the job vendor on a weekly basis. The participant should continue to develop skills in the respective trades, and increase his or her potential for employability upon completion of the program.
- B. Contractor is encouraged to maintain the participant on the employment rolls in future construction assignments.

**VII. Participants expectations of the Contracting and the Employment Incentive exercise**

- A. Participant can expect hours of training and education to learn a new trade and avail themselves of the wraparound services associated with the program. The overarching goal of the program is to empower individuals with of the tools – both in terms of life skills, as well as trade, to be self-sufficient after a period of 36 to 48 months.
- B. Along with the supervised apprenticeship programs, the participants will be assisted with: Financial management training program with CAAB or similar program, Child Care Subsidy, Legal support for bankruptcy, if necessary, or CCCS, Individual development accounts, three to four years of subsidized rent while working and/or training. Additionally, a portion of rent by customer will support operating costs of building and program reinvestment. The program will assist with identifying essential supports based on IRP.

**VIII. Responsibility for enforcing Participants' compliance with participation guide lines**

- A. Participants in the program will face rigorous expectations. They will be expected to fully engage and participate in the work. Participants will be linked to a construction vendor, who will be responsible for monitoring work activity and reporting hours to IMA.

- B. Absent good cause, failure on the part of the participant to meet work participation requirements will result in a sanction status and/or termination from the project. It is the job of the vendor to work with the customer and the contractor to mediate any issues that arise. Termination from the program is based on a recommendation from the vendor.

### **Responsibility of DGS**

DGS has the responsibility to comply with Employment Incentive ('EI') program per the New Endeavors by Women construction projects, and guarantee Compliance of 'EI' requirements by the contractor and its sub-contractors. Duties herein include but are not limited to – implementation procedures, notification and sanctioning violations, coordination and facilitation of DHS's and contractor agreed upon training and or employment conditions, Document contractor and sub-contractors' actions, and presenting 'EI' client to client to contractor for recruitment.

The parties further certify that the persons executing the formal contract and the stipulations have the authority to so bind the parties to this Agreement.

IN WITNESS THEREOF, the undersigned parties execute this Agreement, intending to be bound, this \_\_\_\_ day of \_\_\_\_\_, 2012 in Washington, D.C.

CONTRACTOR: \_\_\_\_\_  
By: *(name & title)* \_\_\_\_\_  
\_\_\_\_\_

**DISTRICT OF COLUMBIA**  
**Department of General Services**

By: \_\_\_\_\_  
Brian J. Hanlon  
*Chief Contracting Officer*

**DEPARTMENT OF HUMAN SERVICES (DHS)**

**EMPLOYMENT INCENTIVE PLAN (EIP)**

**PRICING SHEET**

Description	HRS	Hourly Rate	Extended Rate
EIP New Hire	20	\$ ____.	\$ _____